

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LIFE ENRICHMENT FOUNDATION,  
individually and on behalf of all others  
similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY  
O'NEAL, AHMASS L. FAKAHANY, GREGORY  
J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

CIVIL ACTION  
NO. 07cv9633 (LBS)

MICHAEL J. SAVENA, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY  
O'NEAL, AHMASS L. FAKAHANY, GREGORY  
J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

CIVIL ACTION  
NO. 07cv9837 (LBS)

GARY KOSSEFF, individually and on behalf of  
all others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY  
O'NEAL, AHMASS L. FAKAHANY, GREGORY  
J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

CIVIL ACTION  
NO. 07cv10984 (LBS)

[Additional Captions on Following Page]

**MOTION TO ADMIT COUNSEL PRO HAC VICE**

FILED  
U.S. DISTRICT COURT  
S.D. OF N.Y.  
2008 FEB 21 PM 11:14

642728 #50 2-21-08

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ROBERT R. GARBER, individually and on behalf  
of all others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY  
O'NEAL, AHMASS L. FAKAHANY, GREGORY  
J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

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CIVIL ACTION  
NO. 07cv11080 (LBS)

JAMES CONN, individually and on behalf of all  
others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY  
O'NEAL, JEFFREY N. EDWARDS, LAWRENCE  
A. TOSI, ARMANDO M. CODINA, VIRGIS W.  
COLBERT, ALBERTO CRIBIORE, JOHN D.  
FINNEGAN, JUDITH MAYHEW JONAS,  
AULANA L. PETERS, JOSEPH W. PRUEHER,  
ANN N. REESE and CHARLES O. ROSSOTTI,

Defendants.

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CIVIL ACTION  
NO. 07cv11626 (LBS)

Pursuant to Rule 1.3(c) of the Local Rules of the United States District Court for the Southern District of New York, I, A. Arnold Gershon, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of the following attorneys:

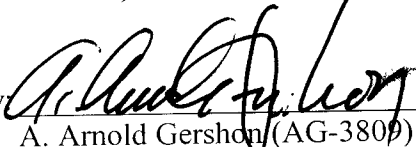
M. Richard Komins  
Jeffrey A. Barrack  
Barrack, Rodos & Bacine  
3300 Two Commerce Square  
2001 Market Street  
Philadelphia, PA 19103  
Telephone: (215) 963-0600  
Fax: (215) 963-0838

M. Richard Komins and Jeffrey A. Barrack are both members in good standing of the Bar of the Commonwealth of Pennsylvania. There are no pending disciplinary proceeding against M. Richard Komins or Jeffrey A. Barrack in any state or federal court.

Dated: February 21, 2008  
New York, New York

Respectfully submitted,

BARRACK, RODOS & BACINE

By   
A. Arnold Gershon (AG-3809)  
1350 Broadway  
Suite 1001  
New York, NY 10018  
(212) 688-0782  
Fax: (212) 688-0783  
Email: [agershon@barrack.com](mailto:agershon@barrack.com)

*Co-Lead Counsel for Proposed Lead  
Plaintiff the State Teachers' Retirement  
System of Ohio*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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LIFE ENRICHMENT FOUNDATION,  
individually and on behalf of all others  
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Defendants.

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CIVIL ACTION  
NO. 07cv10984 (LBS)

*[Additional Captions on Following Page]*

**AFFIDAVIT OF A. ARNOLD GERSHON IN SUPPORT OF  
MOTION TO ADMIT COUNSEL PRO HAC VICE**

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ROBERT R. GARBER, individually and on behalf  
of all others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY  
O'NEAL, AHMASS L. FAKAHANY, GREGORY  
J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

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CIVIL ACTION  
NO. 07cv11080 (LBS)

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JAMES CONN, individually and on behalf of all  
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Plaintiff,

v.

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O'NEAL, JEFFREY N. EDWARDS, LAWRENCE  
A. TOSI, ARMANDO M. CODINA, VIRGIS W.  
COLBERT, ALBERTO CRIBIORE, JOHN D.  
FINNEGAN, JUDITH MAYHEW JONAS,  
AULANA L. PETERS, JOSEPH W. PRUEHER,  
ANN N. REESE and CHARLES O. ROSSOTTI,

Defendants.

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CIVIL ACTION  
NO. 07cv11626 (LBS)

A. Arnold Gershon, being duly sworn, hereby deposes and says as follows:

1. I am a partner at the law firm of Barrack, Rodos & Bacine and counsel for proposed lead plaintiff, State Teachers' Retirement System of Ohio ("Ohio STRS"), in the above-captioned matter. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of the motion to admit M. Richard Komins and Jeffrey A. Barrack pro hac vice to represent Ohio STRS in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law on March 28, 1966. I am also admitted to the bar of the United States District for the Southern District of New York, and am in good standing with this Court.

3. I have known M. Richard Komins and Jeffrey A. Barrack since December 2006.

4. Messrs. Komins and Barrack are partners at Barrack, Rodos & Bacine in Philadelphia, Pennsylvania.

5. I have found Messrs. Komins and Barrack to be skilled attorneys and persons of integrity. They are both experienced in federal practice and are familiar with the Federal Rules of Procedure.

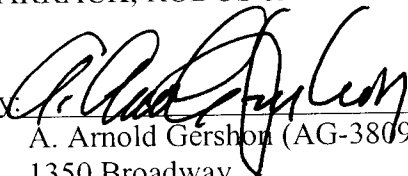
6. Accordingly, I am pleased to move the admission pro hac vice of M. Richard Komins and Jeffrey A. Barrack.

WHEREFORE, I respectfully request that the Court grant the motion to admit pro hac vice M. Richard Komins and Jeffrey A. Barrack as counsel for Ohio STRS in the above-captioned matter.

Dated: February 21, 2008  
New York, New York

Respectfully submitted,

BARRACK, RODOS & BACINE

By:   
A. Arnold Gershon (AG-3809)  
1350 Broadway  
Suite 1001  
New York, NY 10018  
(212) 688-0782  
Fax: (212) 688-0783

*Co-Lead Counsel for Proposed Lead  
Plaintiff the State Teachers' Retirement  
System of Ohio*



Supreme Court of Pennsylvania

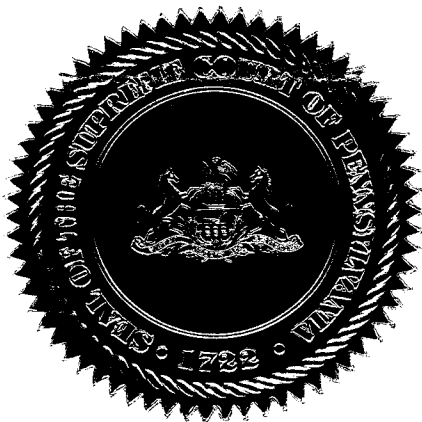
**CERTIFICATE OF GOOD STANDING**

***M. Richard Komins, Esq.***

**DATE OF ADMISSION**

***December 10, 1980***

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal**

**Dated: February 20, 2008**

  
Patricia A. Johnson  
Chief Clerk

**CERTIFICATE OF GOOD STANDING**

UNITED STATES OF AMERICA

EASTERN DISTRICT OF PENNSYLVANIA

}

I, Michael E. Kunz, Clerk of the United States District Court for the Eastern District of Pennsylvania,

DO HEREBY CERTIFY That M. Richard Komins , Bar # 33073, was duly admitted to practice in said Court on January 7, 1981, and is in good standing as a member of the bar of said Court.

DATED at Philadelphia, Pennsylvania

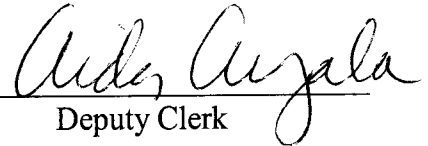
MICHAEL E. KUNZ

Clerk of Court

on February 15, 2008.

BY  
Aida Ayala,

Deputy Clerk







Supreme Court of Pennsylvania

**CERTIFICATE OF GOOD STANDING**

***Jeffrey Alan Barrack, Esq.***

**DATE OF ADMISSION**

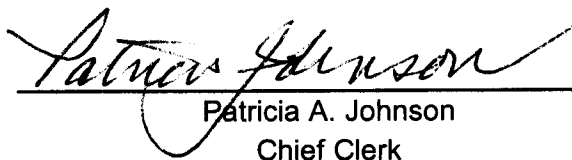
***December 4, 1996***

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal**

**Dated: February 20, 2008**

  
Patricia A. Johnson  
Chief Clerk

**CERTIFICATE OF GOOD STANDING**

UNITED STATES OF AMERICA

EASTERN DISTRICT OF PENNSYLVANIA }

I, Michael E. Kunz, Clerk of the United States District Court for the Eastern District of Pennsylvania,

DO HEREBY CERTIFY That Jeffrey A. Barrack , Bar # 78438, was duly admitted to practice in said Court on February 4, 1997, and is in good standing as a member of the bar of said Court.

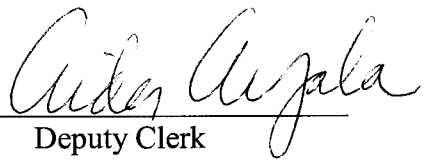
DATED at Philadelphia, Pennsylvania

MICHAEL E. KUNZ

Clerk of Court

on February 15, 2008.

BY  
Aida Ayala,

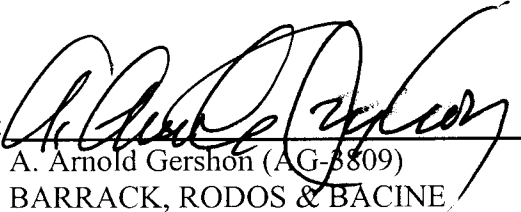
  
Deputy Clerk

**CERTIFICATE OF SERVICE**

I, A. Arnold Gershon, a member of the bar of this Court, hereby certify that true and correct copies of the foregoing Motion to Admit Counsel Pro Hac Vice and supporting affidavit, have been filed with the Clerk of the Court and copies have been served, via first-class mail, on all counsel of record.

Dated: February 21, 2008

By:



A. Arnold Gershon (AG-3809)  
BARRACK, RODOS & BACINE  
1350 Broadway  
Suite 1001  
New York, NY 10018  
(212) 688-0782  
Fax: (212) 688-0783  
Email: [agershon@barrack.com](mailto:agershon@barrack.com)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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LIFE ENRICHMENT FOUNDATION,  
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O'NEAL, AHMASS L. FAKAHANY, GREGORY  
J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

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CIVIL ACTION  
NO. 07cv10984 (LBS)

*[Additional Captions on Following Page]*

**ORDER FOR ADMISSION PRO HAC VICE**

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ROBERT R. GARBER, individually and on behalf  
of all others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY  
O'NEAL, AHMASS L. FAKAHANY, GREGORY  
J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

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CIVIL ACTION  
NO. 07cv11080 (LBS)

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JAMES CONN, individually and on behalf of all  
others similarly situated,

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY  
O'NEAL, JEFFREY N. EDWARDS, LAWRENCE  
A. TOSI, ARMANDO M. CODINA, VIRGIS W.  
COLBERT, ALBERTO CRIBIORE, JOHN D.  
FINNEGAN, JUDITH MAYHEW JONAS,  
AULANA L. PETERS, JOSEPH W. PRUEHER,  
ANN N. REESE and CHARLES O. ROSSOTTI,

Defendants.

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CIVIL ACTION  
NO. 07cv11626 (LBS)

Upon the motion of A. Arnold Gershon, counsel for proposed lead plaintiff State  
Teachers' Retirement System of Ohio, and his affidavit in support thereof;

IT IS HEREBY ORDERED that

M. Richard Komins  
Jeffrey A. Barrack  
Barrack, Rodos & Bacine  
3300 Two Commerce Square  
2001 Market Street  
Philadelphia, PA 19103  
Telephone: (215) 963-0600  
Fax: (215) 963-0838  
Email: [mkomins@barrack.com](mailto:mkomins@barrack.com)  
[jbarrack@barrack.com](mailto:jbarrack@barrack.com)

are admitted to practice pro hac vice as counsel for proposed lead plaintiff State Teachers' Retirement System of Ohio in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel has paid the pro hac vice fee to the Clerk of Court.

Dated: \_\_\_\_\_, 2008  
New York, New York

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United States District/Magistrate Judge